

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

VICTOR GILMORE,

v.

Civil Action No. 2:18cv634

TARIQ K. LOUKA, ESQUIRE, et al.

**DEFENDANT LOUKA'S MOTION TO DISMISS COMPLAINT**

COMES NOW defendant Tariq Louka, by counsel, and moves this court to dismiss this action pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure for want of subject matter jurisdiction and for failing to state a claim upon which relief may be granted for the reasons fully explained in the accompanying brief in support.

**NOTICE TO PRO SE PLAINTIFF:**

In accordance with *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), take notice and be warned that a motion dispositive of this action has been filed. As such:

(1) The pro se party is entitled to file a response opposing the motion and that any such response must be filed within twenty-one (21) days of the date on which the dispositive or partially dispositive motion is filed; and

(2) The Court could dismiss the action on the basis of the moving party's papers if the pro se party does not file a response; and

(3) The pro se party must identify all facts stated by the moving party with which the pro se party disagrees and must set forth the pro se party's version of the facts by offering affidavits (written statements signed before a notary public and under oath) or by filing

sworn statements (bearing a certificate that it is signed under penalty of perjury); and

(4) The pro se party is also entitled to file a legal brief in opposition to the one filed by the moving party.

TARIQ K. LOUKA

/s/

James A. Cales III, Esquire  
Virginia State Bar No. 41317  
Counsel for defendant Louka  
Furniss, Davis, Rashkind and Saunders, P.C.  
6160 Kempsville Circle, Suite 341B  
Post Office Box 12525  
Norfolk, Virginia 23541-0525  
Telephone No. (757) 461-7100  
Facsimile No. (757) 461-0083  
Email: [jcales@furnissdavis.com](mailto:jcales@furnissdavis.com)

Alan Brody Rashkind, Esquire  
Virginia State Bar No. 12658  
James A. Cales III, Esquire  
Virginia State Bar No. 41317  
Furniss, Davis, Rashkind and Saunders, P.C.  
6160 Kempsville Circle, Suite 341B  
Post Office Box 12525  
Norfolk, Virginia 23541-0525  
Telephone No. (757) 461-7100  
Facsimile No. (757) 461-0083

### **CERTIFICATE**

I hereby certify that on the 28th day of February, 2019, I will electronically file the foregoing with the Clerk of Court using the CM/ECF. system, which will then send a notification of such filing to the following:

Ronald Scott Canter  
The Law Offices of Ronald S. Canter, LLC  
200A Monroe Street  
Suite 104

Rockville, MD 20850  
(301) 424-7490  
Fax: (301) 424-7470  
rcanter@roncanterllc.com  
Counsel for Results Unlimited

I will also this day mail a copy of the forgoing to the following non-ECF users:

Victor Gilmore  
507 High Sctreet, Apt. 706  
Portsmouth, VA 23704

/s/

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James A. Cales III, Esquire  
Virginia State Bar No. 41317  
Counsel for defendant Louka  
Furniss, Davis, Rashkind and Saunders, P.C.  
6160 Kempsville Circle, Suite 341B  
Post Office Box 12525  
Norfolk, Virginia 23541-0525  
Telephone No. (757) 461-7100  
Facsimile No. (757) 461-0083  
Email: [jcales@furnissdavis.com](mailto:jcales@furnissdavis.com)